

## AN ACT

ENTITLED, An Act to revise certain provisions relating to state livestock ownership inspection, to revise the composition and duties of the State Brand Board, and to declare an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 40-18-1 be amended to read as follows:

40-18-1. The State Brand Board shall consist of five members appointed by the Governor. Statewide nonprofit agricultural organizations or other interested persons, may submit nominations to the Governor.

Section 2. That § 40-18-2 be amended to read as follows:

40-18-2. At least three of the five members of the board shall be persons who derive the major portion of their income from the livestock business and who are owners of brands duly recorded with the board. At least three of the five members of the board shall reside in the livestock ownership inspection areas. No appointed member may act as a member of the board while holding an elective or appointive state or federal office. No more than three of the members shall be of any one political party.

Section 3. That § 40-18-3 be amended to read as follows:

40-18-3. Appointments to the board shall be made for terms of three years expiring on the first Monday in January in each year. In case of vacancy prior to expiration of a term, appointment shall be made for the balance of the unexpired term only. However, the initial appointments to be made pursuant to this Act shall be made for staggered terms of one, two, two, three, and three years.

Section 4. Notwithstanding any previous action terminating the existing livestock ownership inspection program on August 11, 2004, the existing livestock ownership inspection program shall continue in effect through March 31, 2005, unless prior to that date a subsequent contract is negotiated and becomes effective.

Section 5. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to revise certain provisions relating to state livestock ownership inspection, to revise the composition and duties of the State Brand Board, and to declare an emergency.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 218

\_\_\_\_\_  
Secretary of the Senate  
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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 218  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
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STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State